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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,949	02/01/2001	Hans-Erich Reinfelder	P96,0463 01	9129

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EXAMINER

GREENE, DANIEL L

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/773,949	Applicant(s) REINFELDER ET AL.	
	Examiner. Daniel L. Greene	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

EA

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/5/2005 has been entered.

2.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

1. Claims 1, 5, 9, 14 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "substantially" renders the claims indefinite. The Applicant needs to specify in terms that are quantifiable and known by a person having ordinary skill in the art to which the invention pertains.

Response to Arguments

1. Applicant's arguments filed 5/5/2005 have been fully considered but they are not persuasive. The Applicant argues that a unique feature of his invention is "... software components are substantially (35 USC&112) without changing code... This means that

Art Unit: 3621

there is no need to change code - defined as modifying, adding, or subtracting code- and no need to write adapters." The limitations of the claims reflect that the new software components inputs and outputs are automatically linked to the inputs and outputs of the same name and is silent in regards to the software components of the new software that do not inputs and outputs of the same name. The Examiner submits that code is changed when the software components of the new software do not inputs and outputs of the same name. The Examiner further submits that the Applicant does change the code because of the use of the action modifier "substantially".

2. Further, the prior art, Foody, does disclose the use of dynamically linked libraries (DLL) and the use there of to address the linking of inputs and outputs. Col. 16, lines 9-20, Col. 19, lines 8-50.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foody et al. U.S. Patent 5,732,270 [Foody].**

As to claim 1:

Foody et al discloses:

"objects comprising software components " (see col. 12, lines 32-36);

with "dynamically linkable named inputs and outputs stored on a memory of the computer system" (see col. 1, lines 60-67; see col. 2, lines 1-S; see col. 10, lines 39-49);

5. "an event communication framework providing automated, pattern-based, fully distributable events such that when a new software component is loaded into said computer system also having dynamically linkable named inputs and outputs, the new software component inputs and outputs are automatically linked to the inputs and outputs of the same name of said stored software components (Col. 16, lines 9-20, Col. 19, lines 8-50), so that the software components are combined substantially (35 USC 112) without changing code and without writing adapters." (see Figure 2, an overview of the system architecture in accordance with preferred embodiment of the invention; see col. 8; lines 66-67; see col. 9, lines 1-27). One having the ordinary skill in the art at the time of the invention would have found it obvious that events specifies the operations to be performed on an object and object systems have application programs that communicate with their contained objects and abide by certain input and output rules.

As to claim 2:

Foody et al further discloses:

"wherein the inputs and outputs of the objects are provided via CsaConnectable and CsaRemote objects, respectively." (see col. 10, lines 44-48). One having the ordinary skill in the art at the time of the invention would have found it obvious in that object systems abiding by input and output rules have application programs that name the file information at the beginning of a program.

As to claim 3:

Foody et al further discloses:

"wherein each data structure associated with the inputs and outputs is described in a separate header file which can be used by every object to be linked" (see col. 10, lines 44-49).

As to claim 4:

Foody et al further discloses:

"wherein each object is a shared library which is dynamically linkable at runtime by an ASCII configuration filing names of the inputs and outputs of the objects" (see col. 15, lines 41-60; see col. 19, lines 17-25; see col. 19, lines. 8-15):

As to claim 5:

Foody et al discloses:

a memory of the computing system storing objects; Fig. 1, **104**.

"said objects comprising at least one of software components and building blocks having dynamically linkable inputs and outputs and internal tasks for queuing of data transferred into and out from the objects via said inputs and outputs, respectively" (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49);

Art Unit: 3621

6. "an event communication framework providing automated, pattern-based, fully distributable events such that when a new software component is loaded into said computer system also having dynamically linkable named inputs and outputs, the new software component inputs and outputs are automatically linked to the inputs and outputs of the same name of said stored software components (Col. 16, lines 9-20, Col. 19, lines 8-50), so that the software components are combined substantially (35 USC 112) without changing code and without writing adapters." (see Figure 2, an overview of the system architecture in accordance with preferred embodiment of the invention; see col. 8; lines 66-67; see col. 9, lines 1-27). One having the ordinary skill in the art at the time of the invention would have found it obvious that events specifies the operations to be performed on an object and object systems have application programs that communicate with their contained objects and abide by certain input and output rules.

As to claim 6:

Foody et al further discloses:

"wherein the inputs and outputs of the objects are provided via CsaConnectable and CsaRemote objects, respectively." (see col. 10, lines 44-48). One having the ordinary skill in the art at the time of the invention would have found it obvious in that object systems abiding by input and output rules have application programs that name the file information at the beginning of a program.

Art Unit: 3621

As to claim 7:

Foody et al further discloses;

"wherein each data structure associated with the inputs and outputs is described in a separate header file which can be used by every object to be linked." (see col. 10, lines 44-49).

As to claim 8:

Foody et al further discloses:

"wherein each object is a shared library which is dynamically linkable at runtime by an ASCII configuration file containing names of the inputs and outputs of the objects" (see col. 15, lines 41-60; see col. 19, lines 17-25; see col. 19, lines 8-15).

As to claim 9:

Foody et al discloses, "defining input and output events that are fully distributable" (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49);

"configuring dynamic linkable, software components by named input and output connection points and storing the components on a memory of the computer system" (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49; see col. 12, lines 32-36);

"providing auto routed pattern based fully distributable events based on an event communication framework such that when a new software component is loaded into said computer system also having dynamically linkable named inputs and outputs, the

Art Unit: 3621

new software component inputs and outputs are automatically linked to the inputs and outputs of the same name of said stored software components (Col. 16, lines 9-20, Col. 19, lines 8-50), so that the software components are combined substantially (35 USC 112) without changing code and without writing adapters." (see Figure 2, an overview of the system architecture in accordance with preferred embodiment of the invention; see col. 8; lines 66-67; see col. 9, lines 1-27). One having the ordinary skill in the art at the time of the invention would have found it obvious in that events specifies the operations to be performed on an object.

As to claim 10:

Foody et al discloses:

"objects comprising software components with dynamically linkable named inputs and outputs stored on a memory of the computer system " (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49; see col. 12, lines 32-36);

7. "an event communication framework providing automated, pattern-based, fully distributable events such that when a new software component is loaded into said computer system also having dynamically linkable named inputs and outputs, the new software component inputs and outputs are automatically linked to the inputs and outputs of the same name of said stored software components (Col. 16, lines 9-20, Col. 19, lines 8-50), so that the software components are combined substantially (35 USC 112) without changing code and without writing adapters." (see Figure 2, an overview of the system architecture in accordance with preferred embodiment of the invention; see

Art Unit: 3621

col. 8; lines 66-67; see col. 9, lines 1-27). One having the ordinary skill in the art at the time of the invention would have found it obvious that events specifies the operations to be performed on an object and object systems have application programs that communicate with their contained objects and abide by certain input and output rules.

As to claim 11:

Foody et al further discloses:

"wherein the inputs and outputs of the objects are provided CsaConnectable and CsaRemote objects, respectively." (see col. 10, lines 44-48). One having the ordinary skill in the art at the time of the invention would have found it inherent in that object systems abiding by input and output rules have application programs that name the file information at the beginning of a program.

As to claim 12:

Foody et al further discloses:

"wherein each data structure associated with the inputs and outputs is describe in a separate header file which can be used by every object to be linked" (see col. 10, lines 44-49).

As to claim 13:

Foody et al further discloses:

"wherein each object is a shared library which is dynamically linkable at runtime by an ASCII configuration filing names of the inputs and outputs of the objects" (see col. 15, lines 41-60; see col. 19, lines 17-25; see col. 19, lines 8-15).

As to claim 14:

Foody et al discloses:

"object oriented code for an object orientated computing system on a computing system" (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49; see col. 12, lines 32-36);

"objects comprising at least one of software components and building blocks stored on a memory of the computer system and having dynamically linkable inputs and outputs and internal tasks for queuing of data transferred into and out from the objects via said inputs and outputs" (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49);

8. "an event communication framework providing automated, pattern-based, fully distributable events such that when a new software component is loaded into said computer system also having dynamically linkable named inputs and outputs, the new software component inputs and outputs are automatically linked to the inputs and outputs of the same name of said stored software components (Col. 16, lines 9-20, Col. 19, lines 8-50), so that the software components are combined substantially (35 USC

Art Unit: 3621

112) without changing code and without writing adapters." (see Figure 2, an overview of the system architecture in accordance with preferred embodiment of the invention; see col. 8; lines 66-67; see col. 9, lines 1-27). One having the ordinary skill in the art at the time of the invention would have found it obvious that events specifies the operations to be performed on an object and object systems have application programs that communicate with their contained objects and abide by certain input and output rules.

As to claim 15:

Foody et al further discloses:

"wherein the inputs and outputs of the objects are provided via CsaConnectable and CsaRemote objects, respectively." (see col. 10, lines 44-48). One having the ordinary skill in the art at the time of the invention would have found it inherent in that object systems abiding by input and output rules have application programs that name the file information at the beginning of a program.

As to claim 16:

Foody et al further discloses:

"wherein each data structure associated with the inputs and outputs is described in a separate header file which can be used by every object to be linked" (see col. 10, lines 44-49).

As to claim 17:

Foody et al further discloses:

"wherein each object is a shared library which is dynamically linkable at runtime by an ASCII configuration file containing names of the inputs and outputs of the objects" (see col. 15, lines 41-60; see col. 19, lines 17-25; see col. 19, lines 8-15).

As to claim 18:

Foody et al discloses "defining input and output events that are fully distributable" (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49);

"configuring dynamic linkable, software components by named input and output connections points and stored on a memory of the computer system " (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49; see col. 12, lines 32-36);

9. "providing auto routed pattern based fully distributable events based on an event communication framework such that when a new software component is loaded into said computer system also having dynamically linkable named inputs and outputs, the new software component inputs and outputs are automatically linked to the inputs and outputs of the same name of said stored software components (Col. 16, lines 9-20, Col. 19, lines 8-50), so that the software components are combined substantially (35 USC 112) without changing code and without writing adapters." (see Figure 2, an overview of the system architecture in accordance with preferred embodiment of the invention; see col. 8; lines 66-67; see col. 9, lines 1-27). One having the ordinary skill in the art at the time of the invention would have found it obvious that events specifies the operations to

Art Unit: 3621

be performed on an object and object systems have application programs that communicate with their contained objects and abide by certain input and output rules.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 571-272-6707. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel L. Greene
Examiner
Art Unit 3621

6/22/2005

Fanning Boech
Primary Examiner